

1 power is entirely preempted, and there is a limited
2 preemption in the field of the tax powers as to counties.

3 THE PRESIDENT: Delegate Moser, I wonder if I could
4 interject here, because I think I understand at least a part
5 of what Delegate Maurer is getting at.

6 What she was asking you in part, I think, was
7 whether or not preemption of a field depends necessarily
8 upon a statement to that effect in the statute, and I take
9 it your earlier answer to that was no; is that correct?

10 DELEGATE MOSER: That is correct, sir.

11 THE PRESIDENT: Would it be fair to state that you
12 would agree with her statement in the question to you
13 that whether or not the field was preempted was not always
14 a matter easy of solution, you had to look at the statute,
15 determine its scope, and then decide whether the scope was
16 so broad as to really completely preempt the field?

17 DELEGATE MOSER: That is a fair statement, sir.

18 THE PRESIDENT: Now, one further thing by way
19 of illustration:

20 If the article on public education provided for
21 state-wide education from the first to the 12th grades, this